MEDIA RELEASE

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March 4, 2004

DECISION MADE ON SGT AKBAR COURT-MARTIAL

FORT BRAGG, N.C. -- Lieutenant General John R. Vines, commander, XVIII Airborne Corps and Fort Bragg, referred the charges against Sgt. Hasan Akbar yesterday to trial by general court-martial, and referred this as a capital case. No date for the general court martial has been set, however, it is anticipated the trial will take place this summer.

Sgt. Akbar is accused of two specifications of premeditated murder under Article 118 of the Uniform Code of Military Justice, and three specifications of attempted premeditated murder under Article 80 of the UCMJ. All of the charges stem from an alleged attack by the accused on 101st Airborne Division soldiers at Camp Pennsylvania, Kuwait on March 22, 2003. The attack resulted in the deaths of two officers and injuries to fourteen other service members.

Sgt. Akbar will remain in custody at the Fort Knox Regional Correctional Facility for the time being.

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Editor's note: For further information, please contact the XVIII Airborne Corps & Fort Bragg Public Affairs Office at 396-5600/5620. Enclosed below are some frequently asked questions with responses.

Frequently Asked Questions

Question: Why did it take so long for the case to be referred to trial?

In July 2003 the Commanding General of the 101st Airborne Division (AASLT) decided to transfer Sgt Akbar's case to the Division's higher headquarters, which is the Army's XVIII Airborne Corps at Fort Bragg. The transfer was accomplished because the Division was then decisively engaged in stability and support operations in Iraq. Once the case transferred to Fort Bragg, the XVIII Airborne Corps prosecution team began its trial preparations, and Sgt Akbar's gaining command granted defense requests for delay in the proceedings to allow sufficient time for the defense to prepare its case. Late last month, the case was presented to the XVIII Airborne Corps Commanding General, who decided yesterday to refer the case to a General Court-Martial.

Question: What is the next step in the process?

A military judge will arraign Sgt Akbar at Fort Knox, Kentucky. The arraignment consists of reading the charges and specifications to the accused (who may waive the reading), and calling upon Sgt Akbar to enter a plea.

Question: Where and when will the trial take place?

The trial will be held at Fort Bragg. Although trial dates have not been established, it is anticipated that trial will take place this summer.

Question: Where is Sgt Akbar?

Sgt. Akbar is being held in pretrial confinement at the Fort Knox Regional Correctional Facility.

Question: How long will trial take?

The length of the trial is unknown. Both the prosecution and defense are afforded the time necessary to present their cases, and the panel (jury) will also take whatever time is necessary for them to conduct their deliberations

Question: What is the maximum punishment possible if Sgt Akbar is found guilty of the charges he is alleged to have committed?

The maximum punishment would be death.

Question: Will the trial proceedings be open to the public?

Yes. The XVIII Airborne Corps Public Affairs Office is making the arrangements necessary to allow members of the media to view court proceedings via closed circuit television (as was the case during the Article 32 proceeding at Fort Knox).

Question. Has Sgt Akbar retained civilian counsel or is he being represented by military attorneys only?

Sgt Akbar is presently represented by a civilian attorney at no-cost to the government, and by two military counsel provided at no-cost to Sgt Akbar.

Question. Why are there three specifications of attempted premeditated murder, when fourteen soldiers were injured in the attacks?

Sgt Akbar is alleged to have thrown armed grenades into three separate sleep tents. The three specifications of attempted premeditated murder correspond with the three tents and the occupants of those tents, whether injured or not.